

Case 3:22-cr-00077-E Document 1 Filed 02/15/22 Page 1 of 5 PageID 1

ORIGINAL

CLERK US DISTRICT COURT
NORTHERN DIST. OF TX
FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

2022 FEB 15 PM 12:56

DEPUTY CLERK 

UNITED STATES OF AMERICA

NO.

v.

HERNAN OSCAR GUTIERREZ

8-22CR0077-E

INDICTMENT

The Grand Jury charges:

Count One

Possession of a Firearm by a Convicted Felon
(Violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2))

On or about June 1, 2021, in the Dallas Division of the Northern District of Texas, the defendant, **Hernan Oscar Gutierrez**, knowing that he had been convicted of a crime punishable by imprisonment for a term exceeding one year, that is, a felony offense, did knowingly possess, in and affecting interstate and foreign commerce, a firearm, to wit: a Glock, Model 17, 9mm caliber pistol, bearing serial number HUY195; a Smith and Wesson, Model SD40VE, .40 caliber pistol, bearing serial number FYH6305; a Smith and Wesson, Model SW40VE, .40 caliber pistol, bearing serial number DSM7615; a R.G. Industries, Model RG14, .22 caliber pistol, bearing serial number 254426; a RG/Pioneer Arms, Model Targa-GT76, 7.65mm caliber pistol, bearing serial number C16358; and a Taurus, Model 856 Ultra-Lite, .38 caliber pistol, bearing serial number AN25442.

In violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2).

Count Two

Possession with Intent to Distribute a Controlled Substance
(Violation of 21 U.S.C. § 841(a)(1))

On or about June 1, 2021, in the Dallas Division of the Northern District of Texas, the defendant, **Hernan Oscar Gutierrez**, did knowingly and intentionally possess with intent to distribute 500 grams or more of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance.

In violation of 21 U.S.C. § 841(a)(1), the penalty for which is found at 21 U.S.C. § 841(b)(1)(A)(viii).

Forfeiture Notice

(18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c); 21 U.S.C. § 853(a))


Upon conviction for any of the offenses alleged in Counts One and Two of the Indictment, and pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), the defendant, **Hernan Oscar Gutierrez**, shall forfeit to the United States of America any firearm and ammunition involved or used in the commission of the respective offense.

Upon conviction for the offense alleged in Count Two of this Indictment and pursuant to 21 U.S.C. § 853(a), the defendant, **Hernan Oscar Gutierrez**, shall forfeit to the United States of America all property, real or personal, constituting, or derived from, the proceeds obtained, directly or indirectly, as the result of the offense; and any of the defendant's property, real or personal, used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the respective offense.

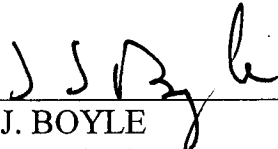
This property includes, but is not limited to, the following:

- (1) a Glock, Model 17, 9mm caliber pistol, bearing serial number HUY195, and any ammunition recovered with the firearm[**stolen**];
- (2) a Smith and Wesson, Model SD40VE, .40 caliber pistol, bearing serial number FYH6305, and any ammunition recovered with the firearm;
- (3) a Smith and Wesson, Model SW40VE, .40 caliber pistol, bearing serial number DSM7615, and any ammunition recovered with the firearm;
- (4) a R.G. Industries, Model RG14, .22 caliber pistol, bearing serial number 254426, and any ammunition recovered with the firearm;
- (5) a RG/Pioneer Arms, Model Targa-GT76, 7.65mm caliber pistol, bearing serial number C16358, and any ammunition recovered with the firearm; and
- (6) a Taurus, Model 856 Ultra-Lite, .38 caliber pistol, bearing serial number AN25442, and any ammunition recovered with the firearm.

A TRUE BILL:


FOREPERSON

CHAD E. MEACHAM
UNITED STATES ATTORNEY


JOHN J. BOYLE
Assistant United States Attorney
Texas Bar No. 00790002
1100 Commerce Street, Third Floor
Dallas, Texas 75242-1699
Tel: 214-659-8617
Fax: 214-659-8805
Email: John.Boyle2@usdoj.gov

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

THE UNITED STATES OF AMERICA

v.

HERNAN OSCAR GUTIERREZ

INDICTMENT

18 U.S.C. §§ 922(g)(1) and 924(a)(2)
Possession of a Firearm by a Convicted Felon
(Count 1)

21 U.S.C. § 841(a)(1)
Possession with Intent to Distribute a Controlled Substance
(Count 2)

18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c); 21 U.S.C. § 853(a)
Forfeiture Notice

2 Counts

A true bill rendered

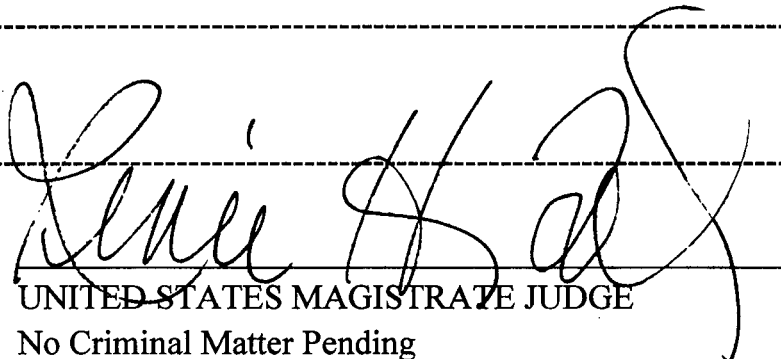


DALLAS

FOREPERSON

Filed in open court this 15th day of February, 2022.

Warrant to be Issued



UNITED STATES MAGISTRATE JUDGE
No Criminal Matter Pending